

RESOLUTION NO. 11-268

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA WAIVING THE TOWN'S PROCUREMENT PROCEDURES; AUTHORIZING THE TOWN MANAGER TO OBTAIN AND PURCHASE SUPPLIES, MATERIALS, SERVICES AND EQUIPMENT IN CONNECTION WITH THE INTERIM TOWN HALL FACILITES WITHOUT BIDDING AND IN EXCESS OF THE DOLLAR AMOUNTS AUTHORIZED IN ORDINANCE NO. 09-115, THE TOWN'S PURCHASING PROCEDURES ORDINANCE; AUTHORIZING THE TOWN MANAGER TO PURCHASE FURNITURE IN CONNECTION WITH THE INTERIM TOWN HALL FACILITES WITHOUT BIDDING AND IN EXCESS OF THE DOLLAR AMOUNTS AUTHORIZED IN ORDINANCE NO. 09-115; AUTHORIZING THE TOWN MANAGER TO PURCHASE CERTAIN ITEMS AND SERVICES IN CONNECTION WITH THE INTERIM TOWN HALL FACILITES SUBJECT TO OBTAINING THREE (3) QUOTES AND OR COST ESTIMATES AND IN EXCESS OF THE DOLLAR AMOUNTS AUTHORIZED IN ORDINANCE NO. 09-115; REQUIRING TOWN COUNCIL RATIFICATION OF CERTAIN PURCHASES AT TOWN COUNCIL'S SUBSEQUENT REGULARLY SCHEDULED COUNCIL MEETING; AUTHORIZING THE TOWN MANAGER TO EXPEND BUDGETED FUNDS; AUTHORIZING THE TOWN MANAGER TO EXECUTE ANY REQUIRED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 3.3 of the Town Charter authorizes the Town Manager to execute contracts, deeds and other documents on behalf of the Town as authorized by the Town Council; and

WHEREAS, Ordinance No. 09-115, the Town's Purchasing Procedures Ordinance, authorizes the Town Manager to purchase supplies, materials, services and equipment without Town Council authorization up to a maximum of \$10,000.00; and

WHEREAS, the Town Council has directed the execution of an Office Lease for an interim Town Hall facility on an expedited basis and it is impracticable to competitively bid for

certain supplies, materials, services and equipment necessary to complete the move into such a facility, including, but not limited to, providing for IT infrastructure in the interim Town Hall facility, furniture and furnishings, moving expenses, new equipment, supplies, aesthetic modification of the interim Town Hall facility, and such other expenditures associated with the move into and use of the interim Town Hall facility for the two (2) year time period that the Town will occupy it (together the “Services”); and

WHEREAS, it is impracticable to competitively bid for certain services and items necessary for the move into such a facility, including, but not limited to, furniture for the interim Town Hall facility (the “Furniture”) and the lessor for the current Town Hall has agreed to sell the Furniture for a price of \$32,500.00; and

WHEREAS, the Town Manager desires the authority to contract for certain items, subject to obtaining three (3) quotes and/or cost estimates, including a contract for relocation of modular furniture up to an amount of \$16,000.00, a contract for necessary moving services up to an amount of \$20,000.00, and a contract for relocation of IT infrastructure and Communication Systems up to an amount of \$20,000.00; and

WHEREAS, pursuant to time constraints of the anticipated move to the interim Town Hall facility, the Town Council pursuant to Section 2.H(1) of the Town’s Purchasing Procedures Ordinance desires to waive the procurement procedures to provide the Town Manager with the authorization to make purchases in excess of the dollar limitation and without the bidding requirements found in Ordinance No. 09-115.

NOW, THEREFORE, BE IT RESOLVED BY TOWN COUNCIL OF THE TOWN OF MIAMI LAKES, FLORIDA, THAT:

Section 1. Recitals. The above recitals are true and correct and are incorporated herein by this reference.

Section 2. Waiver of Procurement Procedures. In accordance with Section 2.H(1) of the Town's Purchasing Procedures Ordinance, the Town Council finds that it is impractical to use the procurement procedures in order to timely provide for the move into and use of the interim Town Hall facility and temporarily waives the Town's purchasing procedures as set forth herein.

Section 3. Authorization of Town Manager for the Services. Pursuant to Section 3.3 of the Town Charter, the Town Council authorizes the Town Manager to obtain the services needed, including, but not limited to, providing for IT infrastructure in the interim Town Hall facility, moving expenses, new equipment, supplies, aesthetic modification of the interim Town Hall facility, and such other expenditures associated with the move into and use of the interim Town Hall facility for the two (2) year time period that the Town will occupy it (together the "Services"), notwithstanding the \$25,000.00 limit per purchase or contract award provided that funds are budgeted for such Services.

Section 4. Authorization of Town Manager for Purchase of the Furniture. Pursuant to Section 3.3 of the Town Charter, the Town Council authorizes the Town Manager to obtain the Furniture from the lessor of the current Town hall for an amount of \$32,500.00, and to execute any agreement or contract necessary to purchase the Furniture without further ratification by the Town Council.

Section 5. Authorization of Town Manager for Purchase of Certain Items and Services. Pursuant to Section 3.3 of the Town Charter, the Town Council authorizes the Town

Manager to contract for certain items and services, subject to obtaining three (3) quotes and/or cost estimates, including a contract for relocation of modular furniture up to an amount of \$16,000.00, a contract for necessary moving services up to an amount of \$20,000.00, and a contract for relocation of IT infrastructure and Communication Systems up to an amount of \$20,000.00, and to execute any agreement or contract necessary to purchase the foregoing without further ratification by the Town Council.

Section 6. Ratification. Except as otherwise stated herein, any arrangement for Services made by the Town Manager in excess of \$10,000.00 shall be placed upon the Town Council's agenda for the next available regularly scheduled meeting following the procurement, for ratification by the Town Council.

Section 5. Authorization of Fund Expenditure. Notwithstanding the limitations imposed upon the Town Manager pursuant to the Town's Purchasing Procedures Ordinance and as waived by this Resolution, the Town Manager is authorized to expend budgeted funds to implement the terms and conditions of any arrangements for the Services.

Section 6. Execution of Documents. The Town Manager is authorized to execute any required documents, contracts or purchase orders in order to arrange for the Services, the Furniture, or certain other items and services as contemplated in this Resolution, subject to review and approval of the documents by the Town Attorney.

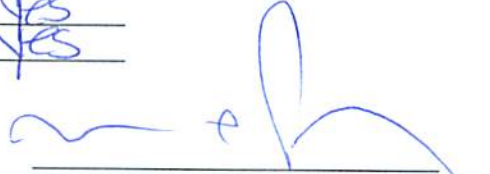
Section 7. Effective Date. This Resolution shall become effective immediately upon its adoption.

PASSED AND ADOPTED this 11 day of January 2011.

Motion to adopt by Pizzi, second by Collins.

FINAL VOTE AT ADOPTION


Mayor Michael Pizzi	<u>Yes</u>
Vice Mayor Nick Perdomo	<u>Absent</u>
Councilmember Mary Collins	<u>Yes</u>
Councilmember Tim Daubert	<u>Yes</u>
Councilmember Nelson Hernandez	<u>Yes</u>
Councilmember Ceasar Mestre	<u>Yes</u>
Councilmember Richard Pulido	<u>Yes</u>



MICHAEL PIZZI
MAYOR

ATTEST:


Marjorie Tejada
TOWN CLERK

APPROVED AS TO LEGAL SUFFICIENCY:


TOWN ATTORNEY
Weiss, Serota, Helfman, Pastoriza,
Cole & Boniske, P.L.